

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

JAMES KENNETH HEDGEPEETH

PLAINTIFF

V.

CAUSE NO.: 1:05CV142-SA-SAA

BLUE CROSS AND BLUE SHIELD OF MICHIGAN

DEFENDANT

ORDER ON SUMMARY JUDGMENT

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) the Plaintiff's Motion for Summary Judgment [155] is DENIED;
- (2) the Defendant's Motion for Summary Judgment [157] is GRANTED;
- (3) the Plan Administrator's denial of benefits is AFFIRMED;
- (4) the Plaintiff's claim against Blue Cross and Blue Shield of Michigan is hereby DISMISSED with prejudice and the case is CLOSED.

All memoranda, motions, administrative record, and other materials considered by the court in ruling on this motion are hereby incorporated into and made part of the record in this action.

SO ORDERED, this the 29th day of July, 2008.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE